



Oversight and Governance

Chief Executive's Department

Plymouth City Council

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Delegated Decisions

Delegated Executive/Officer Decisions

Delegated Executive and Officer decisions are published every Wednesday and are available at the following link - <https://tinyurl.com/ms6umor>

Cabinet decisions subject to call-in are published at the following link - <http://tinyurl.com/yddrql6>

Notice of call-in for non-urgent decisions must be given to the Democratic Support Unit by 4.30 pm on Thursday 17 September 2020. Please note – urgent decisions and non-key Council Officer decisions cannot be called in. Copies of the decisions together with background reports are available for viewing as follows:

- on the Council's Intranet Site at <https://modgov/mgDelegatedDecisions.aspx>
- on the Council's website at <https://tinyurl.com/jhnax4e>

The decisions detailed below may be implemented on Friday 18 September 2020 if they are not called-in.

Delegated Decisions

I. The Leader of the Council:

- I.1. Acquisition of a leasehold property investment by way of a Forward Funding Agreement **(Pages 1 - 24)**


REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – L14 20/21

Decision			
1	Title of decision: Acquisition of a leasehold property investment by way of a Forward Funding Agreement		
2	Decision maker (Cabinet member name and portfolio title): Councillor Tudor Evans, Leader of Plymouth City Council		
3	Report author and contact details: Sarah Partridge, Asset Manager - Land & Property Email: sarah.partridge@plymouth.gov.uk		
4	Decision to be taken: <ol style="list-style-type: none"> 1. Approve the Business Case (attached as a confidential document) 2. Approve the Capital Programme allocation for the sum set out in the business case, funded from service borrowing. 		
5	Reasons for decision: Promote economic and employment growth and secure a sustainable long-term income stream (via rental receipts) in addition to other associated benefits.		
6	Alternative options considered and rejected: <ol style="list-style-type: none"> 1. Do nothing <ul style="list-style-type: none"> • Loss of opportunity to promote economic and employment growth, secure a long-term income revenue and other associated benefits. 2. Land Sale to 3rd Party <ul style="list-style-type: none"> • Rejected as it fails to satisfy PCC's aspiration to create long term revenue generating projects 		
7	Financial implications: The capital and revenue costs of delivering the scheme are set out in the Part II Business Case. The development capital costs will be funded from service borrowing, which will be repaid from the net rental income generated from the development. An allowance for void and risk has been incorporated into the financial model.		
8	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	Per the Constitution, a key decision is one which:
x			in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			in the case of revenue projects when the decision involves entering into new

				commitments and/or making new savings in excess of £1 million
				is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
	If yes, date of publication of the notice in the Forward Plan of Key Decisions	3 April 2017		
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:	The project will contribute towards the following Corporate Plan priority: Economic growth that benefits as many people as possible. Under the Corporate Plan, this will be delivered by: Spending money wisely.		
10	Please specify any direct environmental implications of the decision (carbon impact)	New build in accordance with building regulations and planning sustainability requirements		
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No		(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes	X	
		No		(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Mark Lowry, Portfolio Holder for Finance		
13c	Date Cabinet member consulted	06/04/2020		
14				

	Has any Cabinet member declared a conflict of interest in relation to the decision?	No		If yes, please discuss with the Monitoring Officer				
15	Which Corporate Management Team member has been consulted?	Name	Anthony Payne					
		Job title	Strategic Director for Place					
		Date consulted	13/08/2020					
Sign-off								
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS28 20/21					
		Finance (mandatory)	akh.20.21.73					
		Legal (mandatory)	28213/AC/6/9/20					
		Human Resources (if applicable)						
		Property (if applicable)	JW 0107 13/08/2020					
		Procurement (if applicable)						
Appendices								
17	Ref.	Title of appendix						
	A	Briefing report part I						
	B	Equalities Impact Assessment						
Confidential/exempt information								
18a	Do you need to include any confidential/exempt information?	Yes	<input checked="" type="checkbox"/>	If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)				
		No	<input type="checkbox"/>					
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:			X				
	Part II Briefing Report Business Case			X				

Background Papers								
19	<p>Please list all unpublished, background papers relevant to the decision in the table below.</p> <p>Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</p>							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Financial Analysis				X				
Cabinet Member Signature								
20	<p>I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.</p>							
Signature				Date of decision	10/09/2020			
Print Name	Councillor Tudor Evans OBE (Leader of the Council)							

PART I BRIEFING REPORT

Forward Funding Acquisition



1. An opportunity has arisen in relation to the acquisition of a leasehold property investment, as identified in the Part II report, by way of a Forward Funding Agreement.
2. The project will promote substantial economic and employment growth in Plymouth.
3. The development will also secure a sustainable long-term income stream (via rental receipts) in addition to other associated benefits.
4. The Council will enter into the Forward Funding Agreement as set out in the Part II Confidential Business Case Report.

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EQUALITY IMPACT ASSESSMENT

Land & Property: Economic Development: Place



STAGE 1: WHAT IS BEING ASSESSED AND BY WHOM?

What is being assessed - including a brief description of aims and objectives?	Acquisition of a leasehold retail property investment by way of a Forward Funding Agreement as part of the Council's Asset Investment Fund to promote economic and employment growth, secure other associated benefits and provide a long term income stream.
Author	Sarah Partridge, MRICS
Department and service	Land & Property: Economic Development
Date of assessment	03 August 2020

STAGE 2: EVIDENCE AND IMPACT

Protected characteristics (Equality Act)	Evidence and information (eg data and feedback)	Any adverse impact See guidance on how to make judgement	Actions	Timescale and who is responsible
Age	<p>The average age in Plymouth (39.0 years) is about the same as the rest of England (39.3 years), but less than the SW (41.6yrs).</p> <p>The city has the third lowest percentage of older people (75), and the fifth highest percentage of children and young people (under 18) of the 16 SW authorities.</p> <p>Children and young people (CYP) under-18 account for 19.8% of the population.</p>	No adverse impacts anticipated	n/a	n/a
Disability	Accessibility through Equalities	No adverse impacts anticipated	The proposed development	Delivered in the course of

	Act – Landlord responsibilities		will be completed in accordance with current Building Regulations and statutory approvals and as such will be fully compliant with the latest version of the Disability Discrimination Act and provisions on design access requirements and the latest Equality Act. Requirements will be monitored as part of asset management regime and any further works carried out as legislation/best practice dictates.	development and then ongoing – Land & Property
Faith/religion or belief	Christian - 148,917 people (58.1%), decreased from 73.6% since 2001. 32.9% of the Plymouth population stated they had no religion. Those with a Hindi, Buddhist, Jewish or Sikh religion combined totalled less than 1%.	No adverse impacts anticipated	n/a	n/a
Gender - including marriage, pregnancy and maternity	Overall 50.6% of our population are women and 49.4% are men; this reflects the national figure of 50.8% women and 49.2% men. There were 3280 births in 2011. Birthrate trends have been on the increase since 2005, but since 2010 the number of births has stabilised.	No adverse impacts anticipated	n/a	n/a

	<p>Areas with highest numbers of births include Stonehouse (142), Whitleigh (137) and Devonport (137).</p> <p>Of those aged 16 and over 90,765 (42.9%) people are married. 5,190 (2.5%) are separated and still legally married or legally in a same-sex civil partnership.</p>			
Gender reassignment	<p>It is estimated that there may be 10,000 transgender people in the UK.</p> <p>There were 26 referrals from Plymouth made to the Newton Abbott clinic, the nearest clinic, in 2013/14 to February 6.</p>	No adverse impacts anticipated	n/a	n/a
Race	<p>92.9% of Plymouth's population identify themselves as White British.</p> <p>7.1% identify themselves as Black and Minority Ethnic (BME) with White Other (2.7%), Chinese (0.5%) and Other Asian (0.5%) the most common ethnic groups.</p> <p>Our recorded BME population rose from 3% in 2001 to 6.7% in 2011 therefore has more than doubled since the 2001 census</p>	No adverse impacts anticipated	n/a	n/a
Sexual orientation - including civil partnership	<p>There is no precise local data on numbers of Lesbian, Gay and Bi-sexual (LGB) people in Plymouth, but nationally the</p>	No adverse impacts anticipated	n/a	n/a

	<p>government have estimated this to be between 5 - 7% and Stonewall agree with this estimation given in 2005. This would mean that for Plymouth the figure is approximately 12,500 – 17,500 people aged over 16 in Plymouth are LGB.</p>			
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STAGE 3: ARE THERE ANY IMPLICATIONS FOR THE FOLLOWING? IF SO, PLEASE RECORD ACTIONS TO BE TAKEN

Local priorities	Implications	Timescale and who is responsible
<p>Reduce the inequality gap, particularly in health between communities.</p>	<p>The provision of new commercial development will assist in providing more job opportunities for all and contribute to reducing the inequality gap across the City.</p>	<p>Once completed, the development is expected to be fully let and income producing within 12 months – Land & Property</p>
<p>Good relations between different communities (community cohesion)</p>	<p>n/a</p>	
<p>Human rights Please refer to guidance</p>	<p>n/a</p>	
<p>Principles of fairness Please refer to guidance</p>	<p>As above: Things that make the biggest difference to people’s lives should get priority when deciding where resources go - Positive impact for all groups as the development is expected to promote economic and employment growth and deliver long term revenue, protecting and increasing the budget available to support front line services.</p>	<p>Ongoing – Land & Property</p>

STAGE 4: PUBLICATION

Responsible Officer: James Watt, Head of Land & Property

Date: 03 August 2020

Director, Assistant Director or Head of Service

The following relates to exempt or confidential matters (Para(s) 3 of Part 1, Schedule 12A of the Local Govt Act 1972). Any breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

Document is Restricted

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